

REMARKS

Reconsideration of the present application is respectfully requested. Claims 3-5, 7, 9-10, 15 and 18 previously presented for examination remain in the application. Claims 3, 5, 7, 10, 15 and 18 have been amended to place the claims in better form for consideration on appeal. Claims 1-2, 6, 8, 11-14, 16-17, and 19-22 have been canceled, but may be pursued in a separate application.

No new claims have been added.

Claims 1, 2, 10, 11, 15, 17, 19 and 20 stand rejected under 35 U.S.C. § 102(b) as being considered to be anticipated by U.S. Patent No. 6,057,538 to Clarke ("Clarke").

Claims 1-2, 11, 17 and 19-20 have been canceled rendering the rejection with respect to these claims moot.

Of the remaining claims, claims 10 and 15 are independent claims, each of which includes a limitation related to one of a fiber optic element and a micromachine element.

Clarke discloses a contact-type image sensor that includes an array of focusing lens elements, each lens element being associated with a plurality of pixels. (Clarke, col. 1, lines 8-10 and Abstract).

Clarke does not teach or suggest either a fiber optic element or a micromachined element. For at least this reason, claims 10 and 15 are patentably distinguished over Clarke.

Claims 1, 3, 4, 10, 12, 15, 16, 19 and 21 stand rejected under 35 U.S.C. § 102(b) as being considered to be anticipated by U.S. Patent No. 5,726,443 to Immega et al. ("Immega").

Immega discloses a vision system and proximity detector including an occluding mask with multiple high aspect light pathways positioned over a light detecting surface. (Immega, Abstract).

Claims 1, 12, 16, 19 and 21 have been canceled rendering the rejection with respect to these claims moot.

Of the remaining claims, claims 3, 10 and 15 are independent claims. Applicant respectfully submits that Immega does not teach or suggest the claimed light pipe bundle as set forth in claim 3, the fiber optic elements as set forth in claim 10 or the micromachine elements as set forth in claim 15.

For at least these reasons, claims 3, 10 and 15 are patentably distinguished over the Immega reference. Claim 4 depends from and further limits claim 3 and, therefore, should be found to be patentably distinguished over Immega for at least the same reasons.

Claims 1, 5-10, 13-16, 18, 19 and 22 stand rejected under 35 U.S.C. § 102(b) as being considered to be anticipated by the publication of Hoshino et al. ("A one chip scanning retina with an integrated micro-mechanical scanning actuator for a compound eye visual sensor," published January 2000) ("Hoshino").

Claims 1, 6, 8, 13-14, 16-17, 19 and 22 have been canceled rendering the rejection with respect to these claims moot.

Of the remaining claims, claims 5, 7, 10 and 15 are independent claims.

Hoshino discloses a one chip scanning retina with an integrated micro-mechanical scanning actuator. According to Hoshino, a scanning slit array is included in which the scanning slits all move in coordination.

Hoshino does not teach or suggest at least the micromachined light directing elements of claims 5 and 15 wherein first and second subsets of the micromachined elements are controllable to be at different relative orientations to each other, the light scanning elements of claim 7 wherein first and second sets of the light scanning elements can be at different relative orientations from each other, or the fiber optic elements of claim 10.

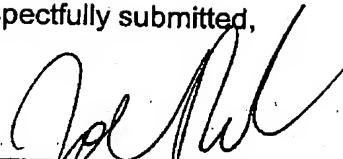
For at least these reasons, claims 5, 7, 10 and 15 are patentably distinguished over Hoshino.

Claim 9 depends from and further limits claim 7 and claim 18 depends from and further limits claim 15. Thus, claims 9 and 18 should also be found to be patentably distinguished over Hoshino for at least the same reasons.

Based on the foregoing, applicants respectfully submit that the applicable rejections and objections have been overcome and claims 3-5, 7, 9-10, 15 and 18 are in condition for allowance. If the examiner disagrees or believes that further discussion will expedite prosecution of this case, the examiner is invited to telephone applicants' representative at the number indicated below.

If there are any charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,



John Patrick Ward
Reg. No. 40,216

Dated: June 1, 2004

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1030
(408) 720-8300